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APR 29 2002

TC 2800 MAIL ROOM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Date of Deposit: April 23, 2002

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Name: Anna Vishev

Signature: Anna Vishev

Applicant : Swab et al.  
Serial No. : 09/845,425  
Filed : April 30, 2001  
Title : EYEWEAR WITH EXCHANGEABLE TEMPLES HOUSING BLUETOOTH ENABLED APPARATUS  
Examiner : not yet known  
Group Art Unit : 2873

Commissioner for Patents  
Washington, D.C. 20231

**REQUEST TO CORRECT THE INVENTORSHIP  
under 37 C.F.R. §1.48(a)**

As indicated in the attached newly executed Inventors Oath/Declaration, please add following inventors to the above identified U.S. Patent Application:

James Malackowski

Mikal Greaves

Rolf Milesi

Christiaan Ligtenberg

Thomas Meier

As required by 37 C.F.R. §1.48(a), this Request is accompanied by a Statement from each person being added as an inventor that the error in inventorship occurred without

04/26/2002 NMOHADM1 00000081 09845485

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09/845,425  
April 23, 2002  
Page 2

deceptive intention on his or her part; an Oath/Declaration executed by all actual inventors; and the processing fee of \$130.00 as set forth in 37C.F.R. §1.17(i).

Should any extensions of time or further fees be considered necessary in connection with this communication, the necessary extensions and payment of the further fees are requested. The Commissioner is directed to debit our deposit account, Account No. 500675, for any amounts required, and is also directed to credit any overpayments thereto.

Respectfully submitted,

Schulte Roth & Zabel LLP  
Attorneys for Applicant  
919 Third Avenue  
New York, NY 10017  
(212)756-2000

By Anna Vishev  
Anna Vishev  
Reg. No. 45,018

Dated: April 23, 2002  
New York, NY

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# FEE TRANSMITTAL for FY 2002

*Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ ) **130.00**

*Complete if Known APR 29 2002*

Application Number	09/845,425
Filing Date	4/30/01 MAIL ROOM
First Named Inventor	SWAB et al.
Examiner Name	Not yet assigned.
Group Art Unit	2873
Attorney Docket No.	881987/0003

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number	500675
Deposit Account Name	SCHULTE ROTH & ZABEL LLP

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

**SUBTOTAL (1) (\$ ) 0**

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X =
Independent Claims	- 3*** =	X =
Multiple Dependent		=

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim, if not paid	
109 84	209 42	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2) (\$ ) 0**

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

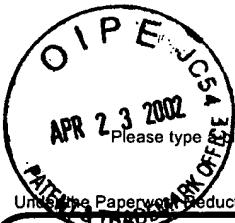
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	130.00
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify)			
<i>*Reduced by Basic Filing Fee Paid</i>			<b>SUBTOTAL (3) (\$ ) 130.00</b>

## SUBMITTED BY

Name (Print/Type)	Anna Vishev	Registration No. (Attorney/Agent)	45,018	Telephone	212-756-2167
Signature	Anna Vishev			Date	4/23/02

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Please type or sign (+) inside this box →

PTO/8B/21 (08-00)

Approved for use through 10/31/2002; OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/845,425
		Filing Date	4/30/01
		First Named Inventor	SWAB et al.
		Group Art Unit	2873
		Examiner Name	Not yet assigned.
Total Number of Pages in This Submission		Attorney Docket Number	881987/0003

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

Remarks

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):  
Request to Correct the Inventorship; Check \$130; Express Mail Certification; self-addressed, stamped postcard; Statements& Declaration (5) (newly executed).

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	SCHULTE ROTH & ZABEL LLP Anna Vishev (45,018)	
Signature		
Date	April 23, 2002	

### CERTIFICATE OF MAILING

Express Mail #EL808864830 US

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	Anna Vishev	
Signature		Date
	4/23/02	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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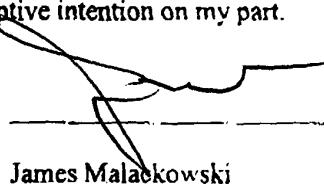
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Examiner : not yet known  
Group Art Unit : 2873

Commissioner for Patents  
Washington, D.C. 20231

**Statement of James Malackowski Under 37 C.F.R. §1.48(a)**

In accordance with the requirement of 37 C.F.R. 1.48(a), I, James Malackowski, state that  
the error in inventorship occurred without any deceptive intention on my part.

Date: 4/15/02

  
James Malackowski

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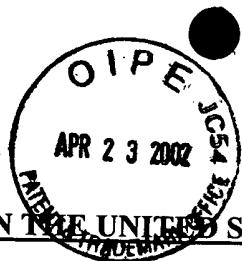
**Statement of Mikal Greaves Under 37 C.F.R. §1.48(a)**

In accordance with the requirement of 37 C.F.R. 1.48(a), I, Mikal Greaves, state that the error in inventorship occurred without any deceptive intention on my part.

Date: 12 - 19 - 01

Mikal Greaves  
Mikal Greaves

881987.0003



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Group Art Unit : 2873

Commissioner for Patents  
Washington, D.C. 20231

**Statement of Rolf Milesi Under 37 C.F.R. §1.48(a)**

In accordance with the requirement of 37 C.F.R. 1,48(a), I, Rolf Milesi,  
state that the error in inventorship occurred without any deceptive intention on my part.

Date: 12/18/2001

R.M. Milesi  
Rolf Milesi

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE APR 29 2002

TC 2600 MAIL ROOM

Applicant : Swab et al.  
Serial No. : 09/845,425  
Filed : April 30, 2001  
Title : EYEWEAR WITH EXCHANGEABLE TEMPLES HOUSING  
BLUETOOTH ENABLED APPARATUS  
Examiner : not yet known  
Group Art Unit : 2873

Commissioner for Patents  
Washington, D.C. 20231

**Statement of Thomas Meier Under 37 C.F.R. §1.48(a)**

In accordance with the requirement of 37 C.F.R. 1.48(a), I, Thomas Meier,  
state that the error in inventorship occurred without any deceptive intention on my part.

Date: 2/15/02

Thomas Meier

Thomas Meier

881987.0003



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE APR 29 2002

TC 2800 MAIL ROOM

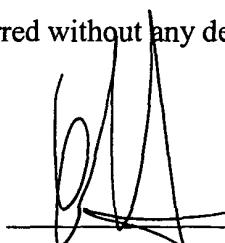
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Group Art Unit : 2873

Commissioner for Patents  
Washington, D.C. 20231

**Statement of Christine Ligtenberg Under 37 C.F.R. §1.48(a)**

In accordance with the requirement of 37 C.F.R. 1.48(a), I, Christine Ligtenberg, state that the error in inventorship occurred without any deceptive intention on my part.

Date: 1/11/02

  
\_\_\_\_\_  
Christine Ligtenberg  
*(Handwritten signature of Christine Ligtenberg)*